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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> 09859/0202256-US0
INTERNATIONAL APPLICATION NO. PCT/JP2003/08045	INTERNATIONAL FILING DATE 25 June 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/519630</b>
TITLE OF INVENTION    HETEROBICYCLIC COMPOUNDS		
APPLICANT(S) FOR DO/EO/US    Daisuke Machii et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98; PTO/SB/08A; ISR with one document.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Certificate of Express Mailing Under 37 CFR 1.10; Verification of Translation; Copy of WO 2004/000841 A1; Check in the amount of \$2,040.00; Return Receipt Postcard; Copy of PCT Request; Affirmation of priority claim w/PCT/IB/304</p>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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<b>10/519630</b>		PCT/JP2003/08045		09859/0202256-US0																									
21. The following fees are submitted:																													
<table border="1"> <tr> <td><input checked="" type="checkbox"/></td> <td>a) Basic national fee .....</td> <td>\$300.00</td> <td>\$</td> <td>300.00</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>b) Examination fee .....</td> <td>\$200.00</td> <td>\$</td> <td>200.00</td> <td>PER 162 EXAMINER DARBY</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>c) Search fee .....</td> <td>\$500.00</td> <td>\$</td> <td>500.00</td> <td>DEPOSIT ACCOUNT NO. 04-0100</td> </tr> <tr> <td colspan="3"><b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b></td> <td>\$</td> <td>1,000.00</td> <td>04-0100</td> </tr> </table>						<input checked="" type="checkbox"/>	a) Basic national fee .....	\$300.00	\$	300.00		<input checked="" type="checkbox"/>	b) Examination fee .....	\$200.00	\$	200.00	PER 162 EXAMINER DARBY	<input checked="" type="checkbox"/>	c) Search fee .....	\$500.00	\$	500.00	DEPOSIT ACCOUNT NO. 04-0100	<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>			\$	1,000.00	04-0100
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<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>			\$	1,000.00	04-0100																								
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																													
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																										
275 - 100 =	175 /50 =	4	x \$250.00	1,000.00																									
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).																													
<table border="1"> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> <td colspan="2"></td> </tr> <tr> <td>Total claims</td> <td>20 - 20 =</td> <td></td> <td>x</td> <td>\$</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td></td> <td>x</td> <td>\$</td> <td></td> </tr> </table>						CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	20 - 20 =		x	\$		Independent claims	1 - 3 =		x	\$							
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Total claims	20 - 20 =		x	\$																									
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MULTIPLE DEPENDENT CLAIM(s) (if applicable) Repln. Ref: 10/21/2005 HALVARAD 0020563500																													
<table border="1"> <tr> <td colspan="4"><b>TOTAL OF ABOVE CALCULATIONS = \$100.00</b></td> <td>2,000.00</td> </tr> <tr> <td colspan="4"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.</td> <td>\$100.00 CR</td> </tr> <tr> <td colspan="6"><b>SUBTOTAL = \$ 2,000.00</b></td> </tr> </table>						<b>TOTAL OF ABOVE CALCULATIONS = \$100.00</b>				2,000.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				\$100.00 CR	<b>SUBTOTAL = \$ 2,000.00</b>													
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Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). + \$																													
<b>TOTAL NATIONAL FEE = \$ 2,000.00</b>																													
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ 40.00																													
<b>TOTAL FEES ENCLOSED = \$ 2,040.00</b>																													
<table border="1"> <tr> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td>Amount to be charged:</td> <td>\$</td> </tr> </table>						Amount to be refunded:	\$	Amount to be charged:	\$																				
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Amount to be charged:	\$																												
a. <input checked="" type="checkbox"/> A check in the amount of \$ 2,040.00 to cover the above fees is enclosed.																													
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.																													
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.																													
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form.</b> Provide credit card information and authorization on RTO-2038.																													
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.																													
SEND ALL CORRESPONDENCE TO: Joseph R. Robinson DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7783 CUSTOMER NUMBER: 07278																													
SIGNATURE:  NAME: Chris T. Mizumoto REGISTRATION NUMBER: 42,899																													

10/519630

PT15 Rec'd PCT/PTO 23 DEC 2004

VERIFICATION OF TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below:

That I am knowledgeable in the English language and in the language in which the below identified international application was filed, and that I believe the English translation of the international application No. PCT/JP2003/008045 is a true and complete translation of the above identified international application as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: December 15, 2004

Full name of the translator Ako HANEDA

Signature of the translator Ako Haneda

Post Office Address c/o KYOWA HAKKO KOGYO CO., LTD.

6-1, Otemachi 1-chome, Chiyoda-ku, Tokyo 100-8185 Japan

10/519630

Rec'd PCT/PTO 23 DEC 2004

Application No. (if known): Not Yet Assigned

Attorney Docket No.: 09859/0202256-US0

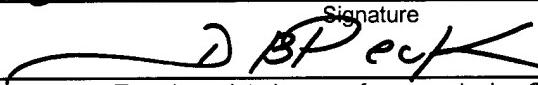
## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. \_\_\_\_\_ in an envelope addressed to:

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MS PCT  
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P.O. Box 1450  
Alexandria, VA 22313-1450

on December 23, 2004  
Date

  
\_\_\_\_\_  
Signature  
  
\_\_\_\_\_  
Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office (2 pp)  
Application Data Sheet (6 pp)  
Copy of WO 2004/000841 A1 (1 pg)  
Verification of Translation (1 pg); Translation of International Application  
PCT/JP2003/008045 (268 pp); Claims (6 pp); Abstract (1 pg)  
First Preliminary Amendment (8 pp)  
Copy of PCT Request (6 pp)  
Affirmation of priority claim (1 pg) w/PCT/IB/304  
Executed Declaration and Power of Attorney (5 pp)  
Recordation Form Cover Sheet (2 pp) w/Assignment (4 pp)  
Information Disclosure Statement (2 pp); PTO/SB/08A (1 pg); ISR with  
one document; Check No. 7123 in the amount of \$2,000.00 ~~\$2040~~  
Return Receipt Postcard

10/519630

5 Rec'd PCT/PTO 23 DEC 2004

Express Mail Label No.

Dated: \_\_\_\_\_

Docket No.: 09859/0202256-US0(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Daisuke Machii et al.

Application No.: Not Yet Known

Confirmation No.: Not Yet Known

Filed: Concurrently Herewith

Art Unit: Not Yet Known

For: HETEROBICYCLIC COMPOUNDS

Examiner: Not Yet Assigned

**AFFIRMATION OF PRIORITY CLAIM**

Mail Stop PCT  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby claim priority under 35 U.S.C. 119 based on the following prior foreign application filed in the following foreign country on the date indicated:

Country	Application No.	Date
Japan	2002-185281	June 25, 2002

A certified copy of the aforesaid Japanese Patent Application was received by the International Bureau on August 15, 2003 during the pendency of International Application No. PCT/JP03/08045. A copy of Form PCT/IB/304 is enclosed.

Dated: December 23, 2004

Respectfully submitted,

By

Chris T. Mizumoto

Registration No.: 42,899  
DARBY & DARBY P.C.  
New York, New York 10150-5257  
(212) 527-7700/(212) 753-6237 (Fax)  
Attorneys/Agents For Applicants